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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NANCY USIGBE,
Plaintiff(s),

v.

MICHAEL PETRAMALA,
Defendant(s).

Case No. 2:24-cv-01043-CDS-NJK

ORDER

Defendant removed this case and filed an application to proceed *in forma pauperis*. Docket No. 1. The removal appears to be procedurally defective with respect to diversity jurisdiction because Defendant appears to represent that he is a citizen of Nevada. *See* Docket No. 1-3 at 1. A defendant may not remove a state court action to federal court on diversity grounds if the defendant is himself a citizen of the state in which the action was brought. *See* 28 U.S.C. § 1441(b)(2). A motion to remand based on a procedural defect must be filed within 30 days after the filing of the notice of removal. 28 U.S.C. § 1447(c). Accordingly, if Plaintiff wishes to raise this procedural defect as a ground for remand, she must do so promptly within the statutory timeframe.

As Plaintiff has not yet appeared in this removed case, the Clerk's Office is **INSTRUCTED** to send this order to Plaintiff both at the mailing address provided by Defendant and at the email address for Plaintiff provided by Defendant (nancyjerryusigbe@yahoo.com).

IT IS SO ORDERED.

Dated: June 12, 2024



Nancy J. Koppe
United States Magistrate Judge